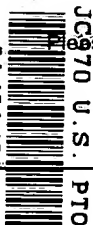


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PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 7853-239 Total Pages 58

First Named Inventor or Application Identifier

Spear

Express Mail Label No. EL 501 639 822 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for
Box Patent Application
Washington, DC 20231

- 1.
- ☒
- Fee Transmittal Form [Total Pages 4]
-
- Submit an original, and a duplicate for fee processing)

- 2.
- ☒
- Specification (including 1 page of claims; 1 page abstract) [Total Pages 28]
-
- (preferred arrangement set forth below)

-Descriptive title of the Invention
-Cross Reference to Related Applications
-Statement Regarding Fed sponsored R&D
-Reference to Microfiche Appendix
-Background of the Invention
-Brief Summary of the Invention
-Brief Description of the Drawings (if filed)
-Detailed Description of the Invention (including drawings, if filed)
-Claim(s)
-Abstract of the Disclosure

3. Drawing(s) (35 USC 113) [Total Sheets 13]

4. Oath or Declaration [Total Sheets 2]

- a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]

i. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).

5. Incorporation By Reference (useable if Box 4b is checked)
-
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Readable Copy
b. ☒ Paper Copy (identical to computer copy)
[Total Pages 9]
c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney [2 sheets]
(when there is an assignee) (copy from 09/333,279)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Other:

17. If a
- CONTINUING APPLICATION**
- , check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/333,279 filed June 15, 1999.**18. CORRESPONDENCE ADDRESS**

Customer Number: 20583

(Insert Customer No. or Attach bar code label here)or ☐ Correspondence address below

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner D. WortmanArt Unit 1648

Assistant Commissioner for Patents
 Box PATENT APPLICATION
 Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/333,279 filed on June 15, 1999, which is a divisional application of application no. 08/509,024 filed on February 28, 1995.

of PATRICIA G. SPEAR AND REBECCA I. MONTGOMERY
 (inventor(s) currently of record in prior application)

for PHARMACEUTICAL COMPOSITIONS COMPRISING HERPES VIRUS ENTRY RECEPTOR PROTEIN
 (title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	5	-20	0	\$18.00 each	\$ 0.00
Independent	1	-3	0	\$80.00 each	\$ 0.00
Basic Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 0.00
Total					\$ 710.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
Total Filing Fee					\$ 710.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☐ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. filed on , which is a divisional application of application no. filed on .
- 4a. ☐ New formal drawings are enclosed.

- 4b. ☒ Informal drawings are enclosed.
- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to NORTHWESTERN UNIVERSITY.
- 7a. ☒ The Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney filed in the prior application no. 09/333,279 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no. 09/333,279 filed on June 15, 1999 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. 09/333,279 is enclosed.
9. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. 09/333,279 is the same as the content of the computer readable form submitted in application no. 09/333,279.
10. ☐ Additional enclosures or instructions.

Respectfully submitted,

Date August 8, 2001

Laura A. Coruzzi 30,742
 Laura A. Coruzzi (Reg. No.)

PENNIE & EDMONDS LLP
 1155 Avenue of the Americas
 New York, N.Y. 10036-2711
 (212) 790-9090

William C. Fager
 Reg. No. 39,201